

\*\*NOT FOR PRINTED PUBLICATION\*\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ERACLIO OTERO §  
VS. § CIVIL ACTION NO. 9:19cv203  
TEX. DEPT. OF CRIMINAL JUSTICE §

ORDER ACCEPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Plaintiff Eraclio Otero, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this lawsuit be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections were filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ACCEPTED** as the opinion of the court. A final judgment shall be entered in accordance with the recommendation of the Magistrate Judge.

So ORDERED and SIGNED, Sep 15, 2020.

  
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Ron Clark  
Senior Judge